

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:14-CV-36-D

JONATHAN EDMOND DAVENPORT,)
)
 Plaintiff,)
)
 v.)
)
DEPUTY SAM KEITH, ET AL.,)
)
 Defendants.)

ORDER

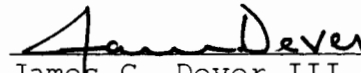
THIS CAUSE came before the Court on the Rule 12(b)(6) Motion to Dismiss filed in this matter on August 21, 2014, by former Assistant United States Attorney ("AUSA") J. Gaston B. Williams and Special Agent Rodney Dickerson (collectively, "Federal Defendants") on the basis that Plaintiff failed to state a claim upon which relief can be granted, and that Plaintiff's claims against the Federal Defendants are barred by the doctrine of absolute immunity.

After reviewing the Plaintiff's Complaint, the Federal Defendants' Motion to Dismiss and accompanying Memorandum of Law; Plaintiff's Response; and the Federal Defendants' Reply; and accepting all well-pleaded, nonconclusory factual allegations in the complaint to be true; the Court concludes that the Federal Defendants' Motion to Dismiss should be GRANTED pursuant to Rule 12(b)(6) of the Federal Rules of Civil

Procedure for the reasons stated and on the basis of the authorities cited therein. See Rehberg v. Paulk, 132 S. Ct. 1497 (2012); Imbler v. Pachtman, 424 U.S. 409 (1976); Lyles v. Sparks, 79 F.3d 372 (4th Cir. 1996).

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Federal Defendants' Motion to Dismiss is hereby GRANTED. Plaintiff's claims against former Assistant United States Attorney ("AUSA") J. Gaston B. Williams and Special Agent Rodney Dickerson are hereby dismissed with prejudice.

This the 28 day of October, 2014.


James C. Dever III
Chief United States District Judge